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U.S. DISTRICT COURT
DISTRICT OF IDAHO
Filed at _____ M

MAR 10 2004

CLERK, U.S. DISTRICT COURT
By _____ Deputy

13 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 vs.

17 JUAN DELGADO-DELGADO,

18 Defendant.

Case No. MS 5575

MOTION FOR DETENTION

19 The United States, by and through Thomas E. Moss, United States Attorney for the District of
20 Idaho, and Lynne W. Lamprecht, Assistant United States Attorney for the District of Idaho, moves the
21 Court, pursuant to 18 U.S.C. § 5034 (*see also* 18 U.S.C. §§ 3142(a)(4) and 3142(e)), for an order
22 directing that a hearing be held for the purpose of holding defendant **Juan Delgado-Delgado** without bail
23 prior to trial.

24 () Pursuant to Title 18 U.S.C. § 3142(f), the United States asks for a continuance of
25 _____ days from the date of the defendant's first appearance before a judicial officer. The
26 continuance is requested in order for an Assistant United States Attorney to prepare for the Detention
27 Hearing, and arrange for witnesses;
28

1 The prosecution will introduce evidence as follows pursuant to the specific sections of Title 18,
2 U.S.C., as indicated:

3 () § 3142(f)(1)(A) - a crime of violence;

4 () § 3142(f)(1)(B) - an offense for which the maximum sentence is life imprisonment or
5 death;

6 (✓) § 3142(f)(1)(C) - an offense for which a maximum term of imprisonment of ten years or
7 more is prescribed in the Controlled Substances Act (21 U.S.C. § 801, et seq.), the Controlled Substances
8 Import and Export Act (21 U.S.C. § 951, et seq.), or Section 1 of the Act of September 15, 1980 (21
9 U.S.C. § 955a);

10 () § 3142(f)(1)(D) - any felony committed after the person had been convicted of two or
11 more prior offenses described in § 3142(f)(1)(A) through (C), or two or more State or local offenses that
12 would have been offenses described in § 3142(f)(1)(A) through (C) if a circumstance giving rise to
13 Federal jurisdiction had existed;

14 (✓) § 3142(f)(2)(A) - a serious risk that the person will flee;

15 () § 3142(f)(2)(B) - a serious risk that the person will:

16 () obstruct or attempt to obstruct justice, or

17 () threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a
18 prospective witness or juror; or

19 (✓) otherwise pose a danger to any other person or the community.

20 DATED this 10th day of March, 2004.

21 **THOMAS E. MOSS**
22 **United States Attorney**
23 **By:**

24 
25 **LYNNE W. LAMPRECHT**
26 **Assistant United States Attorney**

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